

10.11.2022

Learned counsel for the appellant present. None present on behalf of the respondents.

Vide previous order sheet dated 06.10.2022, the appellant was directed to submit envelops and tickets for issuance of notices to the respondents but he did not submit the same, therefore, last chance is given to the appellant to submit the same within 03 workings days from today in office. After submission of envelops and tickets by the appellant, fresh notices be issued to the respondents for submission of reply/comments on 08.12.2022 before the S.B at Camp Court Swat.

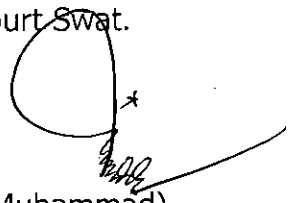


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

07.09.2022

Junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 3 present. None present on behalf of private respondent No. 4.

Reply/comments on behalf of official respondents No. 1 to 3 and private respondent No. 4 not submitted. Learned Deputy District Attorney seeks time to contact official respondents No. 1 to 3 for submission of reply/comments. Previous date was changed on the strength of Reader's Note, therefore, notice be issued to private respondent No. 4 for submission of reply/comments. Adjourned. To come up for reply/comments on 06.10.2022 before S.B at Camp Court Swat.

  
(Mian Muhammad)  
Member (E)  
Camp Court Swat


06.10.2022

Appellant present through counsel.

Riaz Khan Paindakhel, learned Assistant Advocate General present. Nemo for respondents.

Reply on behalf of respondents not submitted. Vide order sheet dated 04.07.2022, office was directed to issue notices to respondents but the same were not served due to non-availability of envelopes and tickets. Appellant is directed to submit envelopes and tickets for notice to all the respondents and file to come up for reply/comments on 10.11.2022 before S.B at Camp Court, Swat.

**SCANNED**  
**KPST**  
**Peshawar**

  
(Rozina Rehman)  
Member (J)  
Camp Court Swat

7<sup>th</sup> June, 2022

None for the appellant present.

Counsels are on strike. To come up for preliminary hearing on 04.07.2022 before the S.B at camp court Swat.



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

04.07.2022

Appellant present through counsel.

Preliminary arguments heard and record perused.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of reply/comments. To come up for reply/comments on 03.08.2022 before S.B at Camp Court, Swat.

*B-600/-*  
Appellant Deposited  
Security & Process Fee

*A. Arshad Khan*  
*1.8/7/22*



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

*3.8.22*

*Due to barrister's vacation the case is adjourned to 7.9.22 for the same.*

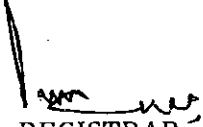
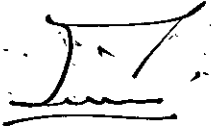


Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 7949 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/12/2021	<p>The appeal of Mst. Nergus Begum resubmitted today by Mr. Syed Abdul Haq Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>10.5.22</u></p> <p style="text-align: right;">CHAIRMAN</p>
10.05.2022		<p>Nemo for the appellant. Notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for preliminary hearing on 07.06.2022 before the S.B at Camp Court Swat.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J) Camp Court Swat</p>

The appeal of Mst. Nargun Begum DM GGMS Kwaro Mano Banda received today i.e. on 27.12.2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Affidavit may be got attested by the Oath Commissioner.
- 2- Annexures of the appeal may be attested.
- 3- Copies of application mentioned in para-4 of the memo of appeal are not attached with the appeal which may be placed on it.

No. 2578 /S.T,


Dt. 27/12 /2021

  
REGISTRAR  
for SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Syed Abdul Haq Adv. Swat.

Respected Sir,

The Instant appeal is resubmitted after removing the aforesaid objections, so far objection at S No. 3 is concerned, it is duly attached with the memo of appeal and available at Page No. 26, therefore, be considered as part and parcel of appeal and be placed before Honble bench for hearing, hence resubmitted.

  
29/12/21

# HYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

## CHECK LIST

.....

### **Versus**

.....

..... Appellant

..... Respondents

	<u>CONTENTS</u>	YES	NO
0	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√	
	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
	Whether appeal is within time?	√	
	Whether the enactment under which the appeal is filed mentioned?	√	
	Whether the enactment under which the appeal is filed is correct?	√	
	Whether affidavit is appended?	√	
	Whether affidavit is duly attested by competent Oath Commissioner?	√	
	Whether appeal/annexures are properly paged?	√	
	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
0.	Whether annexures are legible?	√	
1.	Whether annexures are attested?		
2.	Whether copies of annexures are readable/clear?	√	
3.	Whether copy of appeal is delivered to AG/DAG?	√	
4.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
5.	Whether numbers of referred cases given are correct?	√	
6.	Whether appeal contains cutting/overwriting?	x	
7.	Whether list of books has been provided at the end of the appeal?	√	
8.	Whether case relate to this court?	√	
9.	Whether requisite number of spare copies attached?	√	
0.	Whether complete spare copy is filed in separate file cover?	√	
1.	Whether addresses of parties given are complete?	√	
2.	Whether index filed?	√	
3.	Whether index is correct?	√	
4.	Whether Security and Process Fee deposited? On _____		
5.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
6.	Whether copies of comments/reply/rejoinder submitted? On _____		
7.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- SY Abdul Haq

Signature:- \_\_\_\_\_

Dated:- \_\_\_\_\_

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA  
AT PESHAWAR

Service Appeal No. 7949 /2021

SCANNED  
KPST  
Peshawar

Mst. Nergus Begum.....Appellant

VERSUS


Govt of KPK & others .....Respondents

INDEX

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal	*	1-8
2.	Address of Parties	*	9
3.	Affidavit	*	10
4.	Copies of order dated 14/03/2015 and 13/02/2019	A	11-15
5.	Copy of office order dated 21/02/2020 with charge report	B	16-19
6.	Copy of order dated 29/06/2020 and all relevant record	C	20-25
7.	Copy of application dated 11/09/2020	D	26-28
8.	Copy of adjustment/transfer order dated 28/01/2021	E	29-30
9.	Copy of writ petition No. 733-M/2021 and order dated 22/09/2021	F & G	31-39
10.	Copy of office order/rejection order	H	40
11.	Wakalat Nama	*	41

  
Appellant

Through

  
SYED ABDUL HAQ (ASC)  
HIGH COURT DARULQAZA  
BAR ROOM SWAT  
CELL# 0311-0950959

①

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA  
AT PESHAWAR**

Service Appeal No. \_\_\_\_\_ /2021

Mst. Nergus Begum Daughter of Zain ul Abideen, serving as Drawing Master (BPS-15) (at Govt. Girls Middle School Kwaro Mano Banda, Tehsil Samarbagh), Resident of Tehsil Khal District Dir Lower ..... **Appellant**

**VERSUS**

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, at Peshawar.
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Female) Dir Lower.
- 4) Mst. Qudsia Daughter of Manzoor Qadir posted at Govt Girls Middle School Khal Koz Kalay, Tehsil Khal District Dir Lower ..... **Respondents**

**APPEAL UNDER SECTION 4 OF THE GOVT. OF  
KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL  
ACT, 1974 AGAINST THE ILLEGAL, UNLAWFUL  
ORDER DATED 26.11.2021 VIDE WHICH THE  
HER DEPARTMENTAL APPEAL WAS REJECTED**

Respectfully Sheweth;

The facts of the instant appeal are as under.



1. That the appellant was appointed as Drawing Master at GGMS Babagam Tehsil Lalqala Dir Lower (50 Km away from her residence) vide office order dated 14.03.2015 and that after the appellant was transferred to GGMS Kowaro Mano Banda Tehsil Samarbagh, District Dir Lower., vide order dated 13.02.2019 (45 KM away from her residence). (Copies of orders are as Annex-A).
2. That the respondent No.4 was appointed on adhoc School based policy as D.M in BPS-15 to Tehsil Lal Qala vide office order dated 21.2.2020. (Copy of office order dated 21.2.2020 is attached as annexure-B).
3. That the respondent No.4 after a short span of time again benefited/transferred to G.G.H.S Khal (Home Station) against the vacant post of Senior Drawing Master (BPS-16) vide order dated 29.06.2020. (Copy of order dated 29.06.2020 is attached as annexure-C).
4. That the appellant being entitled under the relevant policy applied via application to the respondent No.3 as well as respondent No.2 on 11.09.2020 for adjustment

1. That the appellant was appointed as Drawing Master at GGMS Babagam Tehsil Lalqala Dir Lower (50 Km away from her residence) vide office order dated 14.03.2015 and that after the appellant was transferred to GGMS Kowaro Mano Banda Tehsil Samarbagh, District Dir Lower., vide order dated 13.02.2019 (45 KM away from her residence). (Copies of orders are ~~as Annex-A~~ A).
2. That the respondent No.4 was appointed on adhoc School based policy as D.M in BPS-15 to Tehsil Lal Qala vide office order dated 21.2.2020. (Copy of office order dated 21.2.2020 is attached as annexure-~~B~~).
3. That the respondent No.4 after a short span of time again benefited/transferred to G.G.H.S Khal (Home Station) against the vacant post of Senior Drawing Master (BPS-16) vide order dated 29.06.2020. (Copy of order dated 29.06.2020 is attached as annexure-~~B~~).
4. That the appellant being entitled under the relevant policy applied via application to the respondent No.3 as well as respondent No.2 on 11.09.2020 for adjustment

at G.G.MS Khal against the vacant post of D.M (Copy of application dated 11.09.2020 is attached as annexure-D).

5. That in spite of her entitlement the official respondent without any rhyme and reason, transferred the respondent NO.4 to GGMS Khal Koz Kalay and malafidely filled up the vacant post of D.M vide adjustment/transfer order dated 28.01.2021. (Copy of adjustment/transfer order dated 28.01.2021 is attached as annexure-E).

6. That the appellant repeatedly knocked the door of the relevant authority for redressal of her grievances but the official respondent failed to respond in spite of their oral directions regarding her adjustment.

7. That the respondent are reluctant to pass any order on the application filed by the appellant in due course of time, so the appellant filed a writ petition bearing No. 733-M/2021 before Peshawar High Court Mingora Bench, which was disposed of and the same was ordered to be treated as Departmental appeal sending it

to the respondent No.2 i.e. Director E&SE with the directions to decide within one month. (Copy of writ Petition 733-M/2021 and order dated 22.09.2021 are attached F and G respectively)

- 8. That the respondent No.2 entrusted the copy of appeal/writ petition to the respondent No.3, who rejected the same vide impugned order dated 26.11.2021. (Copy of office order/rejection order is attached as annexure-H), *Further more it is to mention here, impugned order ibid was obtained by Appellant on her own efforts, i.e. on 30-11-2021.*
- 9. That appellant having no other efficacious and adequate remedy except to file the instant appeal before this honourable Tribunal on the following grounds.

**GROUND**S

- A. That the appointment of respondent has been made under the appointment, deputation, posting and transfer of teachers, Regulatory Act, 2011 on contract basis and under the rules no one shall be transferred for a period of at least three years, but the official respondent in a short span of time adjusted the

respondent No.4 against the rules, law on subject, hence liable to be struck down.

B. That no reasonable cause is available to authority to order/transfer a candidate frequently whereas normal tenure at one post is 3 years hence such action is a case of malafidey and the action of authority is subject to scrutiny, hence liable to be set at naught.

C. That posting of a female servant, to far off places from her residence, and such tendency being violative of principal of policy, as enshrined in the constitution, so remaining the petition in far flung area could create problems as regard security of life.

D. That the respondent No.4 was posted at place (GGHS Namazkot) but within a period of 4 months she was transferred just to accommodate her blue eyed chip, so such immature transfer would not serve the purpose, hence the impugned order dated 28.01.2021 be cancelled

E. That in the instant case neither any exigency of service or administration ground is available, on record, but the authority mere on political exertion vested their power beyond their limits, so this honourable Court has ample power to cancel/set aside the impugned order dated 28.01.2021, under the golden principal of equity and justice.

F. That the respondent No.4 appointed at GGHS Nimazkot on 21.2.2020 and she took over charge on 02.3.2020 (Copy of charge report is attached) but just to deprive the appellant from her legal right, the respondent No.3 narrated such a story which is beyond the school record so this honourable Tribunal is humbly prayed to requisition all the relevant record of GGHS Nimazkot for just disposal of instant appeal.

G. That the respondent No.3 was legally bound to submit the relevant record before the respondent No.2 as per direction of honourable Peshawar high court Mingora bench but the respondent No.2 having malafide

intention, rejected the appeal just to skip/hide relevant from the sight of worthy Director i.e. Respondent no.2.


- H. That the appellate authority is competent to decide the departmental appeal but it is very astonishing that the respondent No.3 has decided the same although under the mandate of law the status of respondent No.3 is *Functus officio*, so on this ground alone the impugned order dated 26.11.2021 is liable to be struck down.
- I. That the appellant seeks leave of this honourable court to raise/argue any additional points at the time of arguments.

*It is, therefore, prayed that on acceptance of this appeal in the light of aforementioned submissions, the impugned order dated 26.11.2021 may kindly be declared as illegal, unlawful, based on malafide, & political victimization & thus ineffective upon the rights of Appellant, violation of the Act*

of 2011, accordingly be set aside and  
the appellant be adjusted on place of  
respondent NO.4.

OR. it is further prayed that the  
appellant may kindly be adjusted at any  
other nearest station as per law.

Through  
APPellant

  
Syed Abdul Haq,  
Advocate, Supreme Court  
0311-0950959

**CERTIFICATE**

As per instruction of my client no such like Appeal,  
earlier has been filed by the appellant on the subject matter  
before this Hon'able Tribunal.

  
ADVOCATE



9

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA  
AT PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Nergus Begum .....Appellant

**VERSUS**

Govt of KPK through Secretary (E&SE) & others ... Respondents

**ADDRESSES OF THE PARTIES**

**APPELLANT**

Mst. Nergus Begum Daughter of Zain ul Abideen, serving as Drawing Master ( BPS-15) (at Govt. Girls Middle School Kwaro Mano Banda, Tehsil Samarbagh), Resident of Tehsil Khal District Dir Lower


CNIC 1570532992387

MOB: 03009074788

**RESPONDENTS**

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, at Peshawar.
- 2) Director, Elementary and Secondary Education, at Peshawar.
- 3) District Education Officer (Female) Dir Lower.
- 4) Mst. Qudsia Daughter of Manzoor Qadir posted at Govt Girls Middle School Khal Koz Kalay, Tehsil Khal District Dir Lower

  
Appellant through Counsel

  
**SYED ABDUL HAQ (ASC)**  
HIGH COURT DARULQAZA  
BAR ROOM SWAT  
Cell No 03110950959

10

**BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA  
AT PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Nergus Begum.....Appellant

**VERSUS**

Govt of KPK & others .....Respondents

**AFFIDAVIT**

I, Mst. Nergus Begum D/o Zain Ul Abideen, Serving as Drawing Master (BPS-15) at Govt. Girls Middle School Kwaro Mano Banda, Tehsil Samarbagh R/o Tehsil Khal District Dir Lower, do hereby solemnly affirm and declare on oath that the contents of accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.



**DEPONENT**

CNIC# 15705-9403607-6

# District Education Officer (F) Dir Lower

Annex = "A"

PII No. 0945-9250083.

E-mail emisdof@dir-lower.gov.pk



## OFFICE ORDER:

Consequent upon the recommendation / approval of the District Selection Committee Dir Lower in its meeting held on 14/03/2015, the following DSI (Female) (School based) are hereby appointed in (PS-5) (Rs. 8500-700-29500) @ Rs. 8500/- fixed plus usual allowances as admissible to them under the rules on ad-hoc and contract basis under the existing policy of the Provincial Government, in Teaching 1.5.5.5. On terms and condition given below:

Sl#	Roll No	Name	Father's Name	Name of School	Score
1	891200039	HAMEEDA BEGUM	MOHAMMAD ZAMIN KHAN	GGMS Musabab	100.81
2	891200034	HAFEESA SARDAR	SARDAR ABUL HAKIM	GGMS Majar	109.29
3	891200053	ROBINA SALMA RAHMAN	GHOUS UR RAHMAN	GGMS Dehrai	107.7
4	891200037	NERGUS BEGUM	ZAIN UL ARDIN	GGMS Habagan	107.01
5	891200067	SELKIA	FATH UR RAHMAN	GGMS Laram	106.38
6	891200063	SUNDAS HANIF	HANF UR RAHMAN	GGMS Gauda	105.45
7	891200022	SHABANA	BAHADAR SHER	GGMS Anar Bala	101.65
8	891200031	MEHNAZ AKHTAR	MOHAMMAD GUL	GGMS Aman Bala	101.1
9	891200103	SUMEHA	SALAH UDDIN	GGMS Anar	100.84
10	891200006	FAZEELAT HIBI	MOHAMMAD WALI	GGMS Sand Quer	100.57
11	891200047	ROBINA BEGUM	TAFI MOHAMMAD	GGMS Bando Taloon	98.19
12	891200055	LAILA	AHMAD IAN JAMAL	GGMS Langwala	97.80
13	891200003	SHABANA UZMA	AMR AZAM KHAN	GGMS Darnal	97.72
14	891200099	SANAM	SHER NAHT ZAMIN KHAN	GGMS Tawila Chira	96.46
15	891200002	FARZANA	AMAN ULLAH	GGMS Asbhar	95.94
16	891200062	ZAINAB AMIN	GUL AMIN	GGMS Buchakay	94.83

## TERMS AND CONDITIONS

1. This order will commence from 16/03/2015 and shall continue till 15/03/2016 and will, however, not construe in any form, either express or implied, any assurance for future employment with the Elementary and Secondary Education Department
2. They will be entitled to emoluments of Rs. Rs 8500/- per month fixed plus usual allowances as admissible under the rules on ad-hoc and contract basis for one year and will be eligible for tax deduction (if any) as per prevailing government rules.
3. Their Pay will not be drawn until and unless a certificate to the effect by DDO (concerned) is issued that their certificates are verified.
4. They will produce Health and Age Certificate from the Medical Superintendent concerned before taking over charge.
5. They will be governed by such rules and regulations as may be issued from time to time by the Govt
6. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time

Established Photo Site  
Near National Bank, etc.  
Bahawalpur, Pakistan  
Ph: 071-2222222

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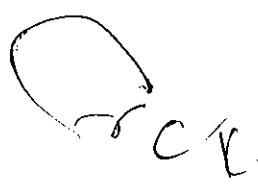
**OFFICE ORDER**

Consequent upon the recommendation /approval of District Selection Committee Dir Lower on its meeting held on 14.03.2015, the following D.M (female)(School Based) are hereby appointed in BPS-15 (Rs.8500-700-29500) @Rs. 8500/-fixed plus usual allowances as admissible to them under the rules on adhoc and contract basis under the existing policy of the Provincial Government in Teach cadre on the terms and condition given below.

S.No	Roll	Name	Father's Name	Name of School	Score
1.	891200039	Hameeda Begum	Mohammad Zahim Khan	GGMS MusaAbad	110.41
2.	891200084	Nafeesa Sardar	Sardar Abdul Hakim	GGHSS Mayar	109.29
3.	891200083	RObina Salma Rahman	Ghous ur Rehman	GGMS Dehrai	107.07
4.	891200037	Nergus Begum	Zain ul Abidin	GGMS Babagam	102.01
5.	891200067	Seema	Fath ur Rehman	GGMS Laram	106.38
6.	891200063	Sundas Hanif	Hanif ur Rehman	GGMS Gaddar	105.45
7.	891200022	Shabana	Bahadar Sher	GGMS Mina Batam	101.65
8.	891200031	Mehnaz Akhtar	Muhammad Gul	GGMS Mian Banda	201.1
9.	891200103	SUmira	Salah uddin	GGMS Gero	100.84
10.	891200006	Fazilat Bibi	Muhammad Wali	GGMS Band	100.57
11.	891200047	Robina Begum	Taj Muhammad	GGMS Banda	98.18
12.	891200055	Laila	Ahmad Jan Jamal	GGMS Sangolai	97.86
13.	891200003	Shabanna UZma	Amir Azam Khan	GGMS Damtal	97.72
14.	891200099	Sanam	Sher Bakht Zamin Khan	GGMS Tawda china	96.46
15.	891200002	Farzana	Aman Ullah	GGMS Hasband	96.94
16.	891200062	Zainab Amin	Gul Amin	GGMS Bacha Kata	94.83

**Terms and Conditions**

1. This order will commence from 16.03.2015 and shall continue till 15.03.2015 and will however, not construe in any form, either express or implied, any assurance for future employment with the Elementary and Secondary Education Department.
2. They will be entitled to emoluments of Rs. 8500/- per month fixed plus usual allowance as admissible under the rules on adhoc and contract basis for one year and will be eligible for tax deduction (if any as per) prevailing Government rules.
3. They pay will not be drawn until and unless a certificate to the effect by DDO (Concerned is issued that their certificates are verified.
4. They will produce Health and age Certificate from the Medical Superintendent concerned before taking over charge.
5. They will be governed by such rules and regualtions as may be issued from time to time by the govt.
6. Their services shall be terminated at any time, in case their performance is found unsatisfied during their contract period. In case of misconduct they shall be proceeded under the rules framed from time to time.
7. Their appointments have been made on school based, they will have to serve at the place of posting and their services is not transferable to any other station.

ATTESTED TO BE TRUE COPY 

13

- 7. Their appointments have been made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- 8. The appointment of the candidates mentioned above is subject to the condition that they are domiciled in District Dir Lower
- 9. NO TA/DA will be paid to them on joining the post
- 10. They may not exceed 35 years of age
- 11. Charge reports should be submitted to all concerned.
- 12. Drawing & Disbursing Officers concerned are directed to collect photo copies of their certificates along with verification fees and submit the same to the office of the undersigned for further verification from the institutions concerned
- 13. This order is issued, errors and omissions accepted, as a notice only
- 14. So as candidates have been initially recruited from amongst those who have passed the tests for the purpose purely on merit

(Zaibun Nisa)  
 District Education Officer (I)  
 District Dir Lower

Endst. No. 997-1000

Dated Timergara the 14/03/2015  
 14/03/2015

Copy of the above is forwarded to

- 1. The Director (E&SE) Khuzar Pakhtun Khwa Peshawar
- 2. The District Accounts Officer Dir Lower.
- 3. The Principals / Headmistress of the institute concerned
- 4. The Officials concerned.

*(Signature)*  
 District Education Officer (I)  
 District Dir Lower

Bank of Punjab  
 National Bank of Pakistan  
 Islamabad Branch

14-03-2015  
 TRUE COPY

*(Signature)*  
 CK

Better copy

(14)

8. The appointment of the candidates mentioned above is subject to the condition that they are domiciled in District Dir Lower.
9. No. TA/Da will be paid to them on joining the post.
10. Their age many not be exceeded 35 years or below 18 years.
11. Charge reports shall should be submitted to all concerned.
12. Drawing and Disbursing officers concerned are directed to collect photo copies of their testimonials alongwith verification free and submit the same to the office of the undersigned for further verification from the institution concerned.
13. This order is issued, errors and omissions accepted, as a notice only.
14. 80% candidates have been initially recruited from amongst those candidates who have qualified NTS test for the purpose purely on merits.

-SD-  
(Zaibun Nisa)  
District Education Officer (F)  
District Dir Lower.

Endst 997-100

Dated Timergara the 14.03.2015

Copies of the above is forwarded to

1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Dir Lower.
3. The principal /Headmistress of the institute concerned.
4. The official concerned.

-SD-  
(Zaibun Nisa)  
District Education Officer (F)  
District Dir Lower.



ATTESTED TO BE  
TRUE COPY

(g. cruzky)  
15

(15)

OFFICE OF THE DISTRICT EDUCATION OFFICER (Male) DIR LOWERS AT TIMERGARA.

OFFICE ORDER

Mst: Nargis Begum DM B-15 GGMS Babagam is hereby transferred to Govt: Girls Middle School Kowaro Mano Banda against vacant post of DM B-15 on her own pay and grade in the interest of public service with effect from the date of taking over charge.

Note:

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.
3. She will not leave the station till the arrival of her substitute/another teacher.

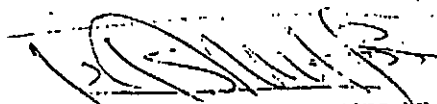
(NUSRAT BIBI)  
DISTRICT EDUCATION OFFICER (F)  
DIR LOWER AT TIMERGARA

6469-71  
Endst. No. 12/13/19

Dated Timergara the 13 / 2 /2019.

Copy of the above is forward to:

1. Distt: Account Officer Dir Lower
2. The Head Mistress Concerned.
3. The Official concerned.

  
DISTRICT EDUCATION OFFICER (F)  
LOWER AT TIMERGARA

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Annex = "B"



(16)

**Appointment**

Consequent upon the recommendation of the Department Selection committee, appointment of the following candidates is hereby ordered purely on merit against the vacant posts of drawing Master on Adhoc School Based in BPS-15 (Rs.16120-1330-56020/-) fixed plus usual allowance as admissible to them under the rules and existing policy of the Provincial Government on the term and conditions given below with effect from the date of their taking over charge (0103.2020) in the interest of public service.

S.No	Name of candidate	Father's Name	School where appointed	D/O Birth	Score	Remarks
1.	Reema Begum	Bacha Khan	GGHS Tawda China	3.4.1994	130.65	AVP
2.	Bushra Shafi	Shafi ud Din	GGMS Babagam	15.07.1995	130.52	AVP
3.	Laila Nawaz	Muhammad Nawaz	GGMS Ghurgay	28.12.1995	130	AVP
4.	Savira Jan	Said Muhammad Jan	GGMS Barkhany	07.11.1994	128.14	AVP
5.	Qudsia Bibi	Manzoor Qadir	GGHS Nimazkot	18.04.1993	127.3	AVP
6.	Amia Bibi	Muhammad Ayub	GGHSS Mayar	28.04.1995	126.97	AVP

**Terms and condition.**

1. No TA/DA is allowed.
2. Charge reports should be submitted to all concerned.
3. Appointment is purely on temporary and adhoc basis for one year period with effect from 01.03.2020 to 28.02.2021. Charge will be taken with effect from 01.03.2020 on opening of schools after winter vacations
4. They should not be handed overcharge if their age exceeded 35 years or below 18 years of age.
5. Appointment is subject to the conditions that their certificates/documents must be verified from the concerned authorities and anyone found producing bogus certificates/ or degree/s their appointment shall be cancelled and they will be reported to the law enforcing agencies for further legal action.
6. Their services are liable to termination on one month's prior notice from either side in case of registration without notice their one month pay/allowances shall be forfeited to the government treasury.
7. Pay shall not be drawn until and unless a certificate issued by this office that to the effect that their documents have been verified.
8. They should join their posts within 15 days after the commencement of their contract in case of failure to join the post within 15 days of the issuance of this Notification their appointment shall stand expired automatically and no subsequent appeal etc shall be entertained.
9. Health and age certificate should be produced from the Medical Superintendent before taking over charge.
10. They will be governed by such rules and regulations as may be issued from time to time by the Government.
11. Their service shall be terminated at any time in case their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded against under the relevant rules and regulations announced time to time.
12. Their appointment is adhoc and school based. They shall have to serve at their place of posting and their services are not transferable to any other station.

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*[Handwritten signature]*



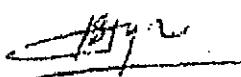
13. Before handing over charge to them, their documents may be checked and if found bogus or fake they may be reported to this office for necessary action.
14. Posting within the schools is the wholly solely authority of the appointing authority and no one has the right to claim for a specific school.
15. All the Principals / Headmistresses are required to collect an affidavit from each candidate that he will follow all the terms and condition listed above and will keep it on record.
16. If any meritorious candidate is deprived from appointment by this order and the competent authority accepts her appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed according to the merit.
17. They must take 09 months mandatory professional training as Induction Program from RITE/PITE Colleges of Khyber Pakhtunkhwa.
18. Errors and omissions will be acceptable within the specified period.

(SHAHEEN BEGUM)  
DISTRICT EDUCATION OFFICER  
FEMALE DIR LOWER AT TIMERGARA

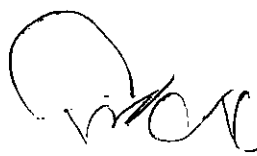
Order No: 5304/5/16 DM Appointment/Ad hoc/NIS dated: 21/02/2024

Copy of the above is forwarded for information & necessary action to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. Deputy Commissioner Dir Lower.
3. District Account Officer Dir Lower.
4. Principal, Headmistress concerned.
5. The B&C Local Office
6. The Assistant D/A Secondary Local Office.
7. The candidates concerned.
8. Master File.

  
DISTRICT EDUCATION OFFICER  
FEMALE DIR LOWER AT TIMERGARA

  
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(13) (18)

13. Before handing over charge to them, their documents may be checked and if found bogus or fake they may be reported to this office for necessary action.
14. Posting within the school is the wholly solely authority of the appointing authority and no one has the right to claim for a specific school.
15. All the principals/ Headmistresses are required to collect an affidavit from each candidate that he will follow all the terms and conditions listed above and will keep it on record.
16. If any meritorious candidate is deprived from appointment by this order and the competent authority accepts her appeal, the appointment order of the low merit candidate will be withdrawn and adjustment order will be reviewed according to the merit.
17. They must take 09 months mandatory professional training as induction program from RITE/PITE college of Khyber Pakhtunkhwa.
18. Errors and omissions will be acceptable within the specified period.

-SD-

(SHAHEEN BEGUM)  
District Education Officer (F)  
District Dir Lower at Timergara.

Endst No. 5304-5316/DEO (M)/Appointment/Adhoc/NTS dated 21.02.2020.

Copy of the above is forwarded for information and necessary action to the.

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Dir Lower.
3. District Accounts Officer Dir Lower.
4. Principal/Headmistress concerned.
5. The B&AO Local office.
6. The Assistant D/A secondary Local office.
7. The candidate concerned.
8. Master File.

-SD-

(SHAHEEN BEGUM)  
District Education Officer (F)  
District Dir Lower at Timergara.

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چارچ رپورٹ

بمطابق آرڈر نمبر 5304-5516، 21/02/2020 میں قدسیہ بی بی ولد منظور قادر ڈی ایم بی پی ایس  
15 نے آج مورخہ 02/03/2020 کو گورنمنٹ گرلز ہائی سکول نماز کوٹ میں قبل از دوپہر اسپتال پہنچنے سے  
کا چارج سنبھال لیا۔

چارچ رپورٹ مزید کارروائی کیلئے DEO FEmale Office Timergarah کو ارسال

خدمت ہے

دستخط انگریزی

چارچ دہندہ

چارچ گرہندہ

قدسیہ بی بی

دستخط انگریزی

ANNEXURE

Annex = C

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DIR LOWER AT TIMEERGARA  
ANNEXURE ORDER

The place of posting in respect of the following DMs as shown in the office order Endst: No. 5304-5316 dated 21-02-2020 may be read as under in the interest of public service.

S.No	Name of Teachers	Designation	Previous Place posting	Name of school where adjusted
1	QUDSIA BIBI	DM B-15	GGHS NIMAZ KOT	GGHS KHALL
2	AMIA BIBI	DM B-15	GGHS MAYAH	GGHS SHUKRIYANI

- Note: - 1. No TA/DA is allowed.  
2. Charge report should be submitted to all concerned.

(ASMAT ARA QURISHI)  
DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMEERGARA

dst: No. 7054-581 dated Timergara the 29/06/2020.  
Copy of the above is forwarded to the:-

1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Lower.
3. The Accountant Local office.
- The Teachers concerned.
- Master File.

DISTRICT EDUCATION  
(F) DIR LOWER AT TIMEERGARA

*(Handwritten signatures and initials)*

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(21)

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DIR LOWER AT  
TIMERGARA

CORRIGENDUM OF ORDER

The place of posting the respect of the following DMs as shown vide his office order Endst No. 5304-5316 dated 21-02-2020 may be read as under in the interest of public service.

S. No.	Name of Teacher	Designation	Previous Place posting	Name of School Where adjusted
1	Qudsia Bibi	DM B-15	GGHS Nimaz Kot	GGHS Khall
2	Amia Bibi	DM B-15	GGHS Mayar	GGHS Sherkhani

Note: 1. No TA/DA is allowed.

2. Charge report should be submitted to all concerned.

(ASMAT ARA QURUSHI)  
DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMERARA

Endst No. 7054-58/

Dated timergara the 29/06/2020.

Copy of the above is forwarded to the:-

1. The director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Lower.
3. The Accountant Local Office.
4. The teachers concerned.
5. Master File.

DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMERARA



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**CHARGE REORT.**

Reference order of the Honorable District Education Officer(Female)Dir Lower at Timargara Vide Endst No. 5304-5316 /DM/Appointment/ Adhoc NTS dated 21/2/2020 and Corrigendum order No. 7054-58 dated 29/6/2020 I, Miss Qudsia Bibi D/o Manzoor Qadar S took over charge of my duties this day of 07/2020 as D/M B-15 Post No. Sr No.(1) at GGHS:Khall Dir Lower.

Signature [Signature]  
Qudsia Bibi  
Post D/M B-15  
GGHS:Khall Dir Lower

**OFFICE OF THE PRINCIPAL, GOVT GIRLS HIGH SCHOOL KHALL DIR LOWER.**

Endst;No. 5500-04 /Dated Khall the 01 / 7 /2020.

Copy forwarded to the:-

1. District Education Officer(F) Dir Lower at Timargara.
2. District Accounts Officer Dir Lower at Timargara.
3. Office Copy
4. Official concerned

[Signature]  
etc

[Signature]  
Principal  
Govt. Girls High School  
Khall Dist. Dir Lower

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Charge Report.

Reference order of the Honorable District Education Officer (Female) Dir Lower at Timargara vide Endst No. 5304-5316/DM/Appointment/Adhoc NTS dated 21/02/2020 and Corrigendum Order No. 7054-58 dated 29/06/2020 I, Miss Qudsia Bibi D/o Manzoor Qadar took over charge of my duties this day of 01/07/2020 as D/M B-15 Post @ Sr. No. (1) at GGHS: Khall Dir Lower.

Signature \_\_\_\_\_  
Qudsia Bibi  
Post. D/M B-15  
GGHS Khall Dir Lower

**OFFICE OF THE PRINCIPAL, GOVT GIRLS HIGH SCHOOL KHALL DIR LOWER**

Endst; No. 5500-04/Dated Khall the 01/07/2020 .

Copy forwarded to the:-

1. District Education Officer (F) Dir Lower at Timargara
2. District Accounts Officer Dir Lower at Timargara.
3. Office Copy
4. Official concerned.

Principal  
GGHS Khall District Dir Lower

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(24)

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To,

The DEO (F)  
Dir Lower at Timergara.

Subject: INFORMATION OF TRANSFER AND POSTING OF QUDSIA  
MANZOOR, DM TEACHER UNDER RIGHT TO INFORMATION  
ACT, 2013

R/ Madam,

It is humbly requested that informed regarding/relating to MS. Qudsia-  
Manzoor D.M Teacher posted now in GGHS Khall Koz Kali for the  
purpose of writ petition in Peshawar High Court Mingora Bench.  
Required informat is posting date transfer from one station to another  
and also gape period from post another one.

Thanks,

Irfan Ullah Khan  
# 0301-8191925  
CNIC: 15306-7762360-9

Diary No. 3669  
dated 07.06.2021

CFC  
A

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OFFICE OF THE PRINCIPAL  
G.G.H.S. KHALLDIR LOWER  
No. 5510-116 / Dated Khullsar 13/11/2020

The District Director  
Dir Lower Khullsar

Subject: CORRECTION NUMBER

Memorandum

Please refer to your letter No. 7090-58 dated 25/5/2020 and Mst Qudsia Bibi D/M Post GGHS Namekoti (Nawabshah) from which has been adjusted at GGHS Khall

which is referred to in your letter No. 7090-58 dated 25/5/2020. It is noted that this is therefore corrected in the name of Mst Qudsia Bibi D/M Post of Dir Lower and the name of Mst Qudsia Bibi is withdrawn please

(Ends)

PRINCIPAL  
G.G.H.S. KHALLDIR LOWER  
(Nawabshah)

Encls No. 5510-116 / Dated 13/11/2020

For Distribution to the District Director Lower Khullsar

Principal  
G.G.H.S. KHALLDIR LOWER  
(Nawabshah)

AM  
OTC

**BETTER COPY OF THE PAGE NO. 25**

OFFICE OF THE PRINCIPAL.  
G.G.H.S KHALL DIR LOWER  
No. 5510-11 Dated Khall the 13/07/2020

To,

The District Education Officer (F),  
Dir Lower at Timergara.

Subject: **CORRIGENDUM ORDER**

Memo:

Please refer to your office Order Endst No. 7054-58 dated 29/05/2020 one Mst. Qudsia Bibi D/M B-15 GGHS Namazkot (Newly appointed) through NTS has been adjusted at GGHS Khall against D/M Post.

In this regard it is stated for your kind information that there is no vacant D/M B-15 Post.

It is, therefore, requested that she may be adjusted against any vacant post of D/M B-15 to District Dir Lower and the adjustment Order at GGHS Khall may be withdrawn please.

(Endcls)

Principal  
GGHS Khall Dir Lower

Endst No. 5510-11/Dated 13/07/2020

Copy forwarded to the Mst. Qudsia Bibi D/o Manzoor Qadir for information pl.

Principal  
GGHS Khall Dir Lower

Sep 14, 2020

Director of E & SE KPK,  
Block A, 3rd Floor, Building A,  
Near MPA hostel Secretariat Peshawar  
Phone: 091-9225344  
ibrahimhz@yahoo.com

~~ANNEXURE~~

Annex "D"

26

Complaint against a newly appointed female DM (scale 15) on a post of scale 16 in violation of certain requirement

Dear Sir,

I am writing to file a complaint on behalf of our sisters who have been ignored despite of their seniority in services while considering a newly appointed candidate of DM scale 15 on post of scale 16 in GGHS Khall Barkally District Dir (Lower). The nature of my complaint is as follows.

A post of DM scale 16 was vacant in the aforementioned school (GGHS Khall Barkally District Dir Lower). Many candidates based on their seniorities requested DEO to consider them for the vacant position in scale 15, however they were refused as per rules.

Recently a newly appointed candidate **Ms. Qudsia D/O Manzoor Qadir** in scale 15 has been posted on the post of DM scale 16 with an agreement that "on the promotion of a candidate to scale 16, she would be replaced with her".

Now an attempt is in consideration to promote a candidate who is posted in the same Tehsil Khall to scale 16 and replace her with Ms. Qudsia as per agreement with Ms. Qudsia. By doing so Ms. Qudsia will be posted permanent in her local area (Tehsil Khall), which is a clear violation of the basic requirements of your department.

I would like to draw your attention to this violation and injustice consideration and would like to humbly request you to look into this matter and do the needful and save the other needy candidates who are dreaming to be considered for said position based on merits and their seniorities.

Thank you.

Sincerely,  
Dr. Zaheer Ud Deen  
Doctor Hostel  
KTH Peshawar  
0312-2212111

Thank you for contacting us.  
Your Complaint has been registered.  
Your Complaint No: KPO-ONL/0000152/20

Please save and use the above complaint number in all future correspondence with us.

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QK

27

ANNEXURE

The Public Information Officer (PIO) or  
The District Education Officer Female  
Timergara  
Dir Lower, KPK  
2019

Date: 18 June

Dear Madam,

**Subject: Request for the provision of documents/information under the KPK Right to Information Act, 2013 about the appointment, promotions, permanent contract and/or all transfer/adjustments of Ms Qudsia Bibi D/O Manzoor Qadir, Female Teacher (BS-15) at GGMS Khall Koozkaly**

The applicant is a respectable citizen of Pakistan and living at Village Khall Koozkaly, PO and Tehsil Khall, District Dir (Lower). This applicant is the continuation of our previous application, which has been made in the first week of June 2021.

Article 19A of the Constitution of the Islamic Republic of Pakistan provides that every citizen shall have the right to access to information in all matters of public importance. In the light of the constitutional provisions, the Government of KPK has promulgated and enacted the Khyber Pakhtunkhwa Right to Information Act, 2013.

Every public body has the duty to properly maintained all the records in order to comply with its obligations under this Act, and in accordance with any relevant rules or standards established by the Information Commission. It is a criminal offence to destroy a record without lawful authority or wilfully obstruct access to any record with a view to preventing the exercise of a right provided for in this Act.

Qudsia Bibi (DOB: 18-04-1993) D/O Manzoor Qadir, resident of Khall, has been appointed on Ad hoc School Based in PBS: 15 against a Vacant Post of Drawing Master (DM) at GGHS Nimazkot via order No. 5394-5316, dated 21 February 2020. In September 2020, she has been transferred/adjusted at GGHS Khall Barkalay against a PBS: 16. After 5 months, she was again transferred/adjusted in February 2021, at GGMS Khall Koozkaly.

Under the above-mentioned Act, the applicant has the right to access the following information or record. The applicant is requesting to provide him with copies of all the orders/notifications about the appointment and transfers/adjustments of Ms Qudsia Bibi since Feb 2020, specifically the following record/information in the interest of justice.

- i. Initial appointment order No. 5394-5316 dated 21 February 2020 regarding Ms Qudsia Bibi D/O Manzoor Qadir in PBS: 15 against a Vacant Post of Drawing Master (DM) at GGHS Nimazkot
- ii. Information, about the date, when the charge has been taken by Ms Qudsia Bibi at GGHS Nimazkot.
- iii. The transfer or adjustment order made by DEO (F) in September 2020 about Ms Qudsia Bibi against a Post of Drawing Master (DM) PBS: 16 at GGHS Khall Barkalay
- iv. The transfer or adjustment order made by DEO (F) in February 2021 about Ms Qudsia Bibi against a Post of Drawing Master (DM) PBS: 15 at GGMS Khall Koozkaly.

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Details about the start and end date of E-Transfer in 2020 and 2021. The reasons why the vacant post of DM, PBS: 15 at GGMS Khall Koozkaly has not been announced publically or put that on the E-Transfer portal?

- vi. The education department policy about the transfer outside the E-Transfer Portal.
- vii. Copy of the notification or order dated 14 April 2019 and 28 September 20-20 about a complete ban on all kind of transfer/posting in the Elementary & Secondary Education Department of KPK.
- viii. Copy of the notification or order that the complete ban on all kind of transfer/posting in Elementary & Secondary Education Department of KPK has been lifted since 14 April 2019 and 28 September 20-20.
- ix. The NTS or Elementary & Secondary Education Department of KPK policy about the posting, Transfer, and/or adjustments since April 2019 till to date.

The disclosure and/or provision of this information/record is in the public interest and could cause no harm to the national security, or the economy, or Pakistan's relations with another country, or violate someone's right to privacy.

This is a limited record/information. It may be a couple of pages and may be free of charge. However, the applicant is ready to pay a reasonable cost for photocopying or any other charges incurred in giving this information/record.

The applicant hopes that this information would be sufficient to locate and provided him with the above-requested record/information within ten working days of the receipt of this request. If for any reason all or any of the above-requested record/information is not provided to the applicant, then the applicant would like to request that he should be provided with a plausible explanation/reasons in writing.

If the applicant believes that his request has not been dealt with in accordance with the provisions of the KPK Right to Information Act, 2013, then the applicant has the right to lodge a complaint with the Information Commission or to adopt every possible legal channel to this effect.

It is, therefore, requested that the applicant should be provided with copies of the above-listed documents in the best interest of justice.

Should you require any further assistance in regard to this matter, please do not hesitate to contact us.

Yours faithfully

If  
P:

Zaher Ud Deen

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Annex = "E"

The following Consequential Adjustment has been made in the interest of public service.

S.No	Name of Teachers	Designation	Present School	Name of school where adjusted
1	Asma Hanid	TT B-15	GGMS Khali	GGMS Khali Payeen

S.No	Name of Teachers	Designation	Present School	Name of school where adjusted
1	Qudsla BIBI	DM B-15	GGMS Khali	GGMS Khali Payeen

- Note: - 1. No TA/DA is allowed.  
 2. Charge report should be submitted to all concerned.

(ASMAT ARA QURESHI)  
DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMERGARA

Endst: No. 12600-5 dated Timergara the 28/01/2021.  
Copy of the above is forwarded to the:-

1. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Lower.
3. The Principal/Headmistress concerned.
4. The Teachers concerned.
5. Master File.

*(Signature)*  
 DISTRICT EDUCATION OFFICER  
 (F) DIR LOWER AT TIMERGARA 28/1

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OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DIR LOWER AT  
TIMERGARA

CORRIGENDUM OF ORDER

The place of posting the respect of the following DMs as shown vide his office order Endst No. 5304-5316 dated 21-02-2020 may be read as under in the interest of public service.

S. No.	Name of Teacher	Designation	Previous Place posting	Name of School Where adjusted
1	Qudsia Bibi	DM B-15	GGHS Nimaz Kot	GGHS Khall Payeen

Note: 1. No TA/DA is allowed.

2. Charge report should be submitted to all concerned.

(ASMAT ARA QURUSHI)  
DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMERARA

Endst No. 12600-5/

Dated Timergara the 28/01/2021.

Copy of the above is forwarded to the:-

1. The director (E&SE) Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Lower.
3. The Accountant Local Office.
4. The teachers concerned.
5. Master File.

DISTRICT EDUCATION OFFICER  
(F) DIR LOWER AT TIMERARA

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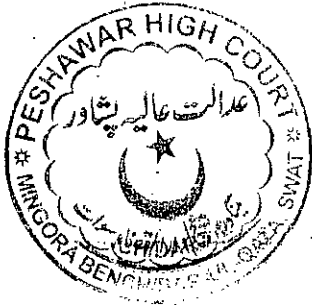
35

Annex "F"

(A)

BEFORE THE PESHAWAR HIGH COURT, MINGORA  
BENCH/DARUL QAZA SWAT

W.P. 733 -M/2021



Mst. Nergus Begum Daughter of Zain ul Abideen, serving as Drawing Master ( BPS-15) (at Govt. Girls Middle School Kwaro Mano Banda, Tehsil Samarbagh), Resident of Tehsil Khal District Dir Lower.....Petitioner

VERSUS

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, at Peshawar.
- 2) Director, Elementary and Secondary Education, at Peshawar.
- 3) District Education Officer (Female) Dir Lower.
- 4) Mst. Qudsia Daughter of Manzoor Qadir posted at Govt Girls Middle School Khal Koz Kalay, Tehsil Khal District Dir Lower..... Respondents

ATTESTED

Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

**WRIT PETITION**

**UNDER ARTICLE 199 OF THE CONSTITUTION OF  
ISLAMIC REPUBLIC OF PAKISTAN 1973.**

Respectfully Sheweth;

FILED TODAY

17 JUL 2021

The facts of the instant petition are as under, Additional Registrar



32

2

1. That the petitioner was appointed as Drawing Master at GGMS Babagam Tehsil Lalqala Dir Lower (50 Km away from her residence) vide office order dated 14.03.2015 and that after the petitioner was transferred to GGMS Kowaro Mano Banda Tehsil Samarbagh, District Dir Lower., vide order dated 13.02.2019 (45 KM away from her residence). (Copies of orders are attached).
2. That the respondent No.4 was appointed on adhoc School based policy as D.M in BPS-15 to Tehsil Lal Qala vide office order dated 21.2.2020. (Copy of office order dated 21.2.2020 is attached as annexure-A).
3. That the respondent No.4 after a short span of time again benefited/transferred to G.G.H.S Khal (Home Station) against the vacant post of Senior Drawing Master (BPS-16) vide order dated 29.06.2020. (Copy of order dated 29.06.2020 is attached as annexure-B).
4. That the petitioner being entitled under the relevant policy applied via application to the respondent No.3 as well as respondent No.2 on 11.09.2020 for adjustment

ATTESTED

Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat

FILED TODAY

17 JUL 2021

at G.G.MS Khal against the vacant post of D.M (Copy of application dated 11.09.2020 is attached as annexure-C).

5. That in spite of her entitlement the official respondent without any rhyme and reason, transferred the respondent NO.4 to GGMS Khal Koz Kalay and malafidely filled up the vacant post of D.M vide adjustment/transfer order dated 28.01.2021. (Copy of adjustment/transfer order dated 28.01.2021 is attached as annexure-D).

6. That the petitioner repeatedly knocked the door of the relevant authority for redressal of her grievances but the official respondent failed to respond in spite of their oral directions regarding her adjustment.

7. That the respondent are reluctant to pass any order on the application filed by the petitioner in due course of time, so the petitioner having no other efficacious and adequate remedy except to file the instant petition on the following grounds.

**FILED TODAY**

17 JUL 2021

Additional Registrar

**ATTESTED**

Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

## GROUNDS

34

A. That the appointment of respondent has been made under the appointment, deputation, posting and transfer of teachers, Regulatory Act, 2011 on contract basis and under the rules no one shall be transferred for a period of at least three years, but the official respondent in a short span of time adjusted the respondent No.4 against the rules, law on subject, hence liable to be struck down.

B. That no reasonable cause is available to authority to order/transfer a candidate frequently whereas normal tenure at one post is 3 years hence such action is a case of malafidey and the action of authority is subject to scrutiny, hence liable to be set at naught.

C. That posting of a female servant, to far off places from her residence, and such tendency being violative of principal of policy, as enshrined in the constitution, so remaining the petition in far flung area could create problems as regard security of life.

**FILED TODAY**

17 JUL 2021

**ATTESTED**  
Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat

D. That the respondent No.4 was posted at place (GGHS Namazkot) but within a period of 4 months she was transferred just to accommodate her blue eyed chip, so such immature transfer would not serve the purpose, hence the impugned order dated 28.01.2021 be cancelled

E. That in the instant case neither any exigency of service or administration ground is available, on record, but the authority mere on political exertion vested their power beyond their limits, so this honourable Court has ample power to cancel/set aside the impugned order dated 28.01.2021, under the golden principal of equity and justice.

**ATTESTED**

Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

F. That a petitioner applying for writ of mandamus having a right or interest in him to compel the performance of legal duty regarding some particular things to the concerned authority through the interference of this Court, so the petitioner is an aggrieved person due to the unlawful action committed by the respondent No.3 in violation of law.

**FILED TODAY**

17 JUL 2021

G. That the petitioner seeks leave of this honourable court to raise/argue any additional points at the time of arguments.

*It is, therefore, prayed that on acceptance of this writ petition in the light of aforementioned submissions, the impugned order dated 28.01.2021 be declared as illegal, unlawful, based on malafide, & political victimization & thus ineffective upon the rights of Petitioner & violation of the Act of 2011 accordingly set aside.*

**ATTESTED**  
Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

Furthermore, this honourable Court may kindly <sup>issue</sup> directions to respondent No.3 to decide the application of petitioner as submitted for considering the petitioner for the post of D.M bps-15 at school GGMS khal Payeen/ Kozkalay, District Dir Lower.

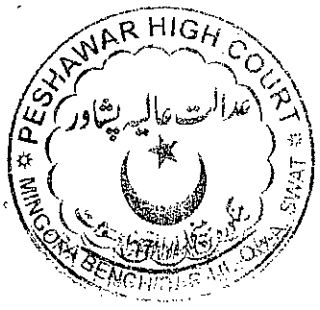
**FILED TODAY**


7 JUL 2021

37

**INTERIM RELIEF**


It is further prayed that the impugned order dated 28.01.2021 may kindly be suspended till the final disposal of the instant writ petition.




  
Syed Abdul Haq,  
Advocate, Supreme Court  
0311-0950959

**CERTIFICATE**

As per instruction of my client no such like writ petition, earlier has been filed by the petitioner on the subject matter before this Hon'able Court.

  
**ATTESTED**  
Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

  
ADVOCATE  
**FILED TODAY**  
17 JUL 2021  
Additional Registrar

Annex - "G"  
1

38

**JUDGMENT SHEET**

**PESHAWAR HIGH COURT, MINGORA  
BENCH (DAR-UL-QAZA), SWAT  
(Judicial Department)**

**W.P. No. 733-M/2021  
With Interim Relief**

**JUDGMENT**

Date of hearing: **22.09.2021**

**Petitioner:- (Mst. Nergus Begum) by Syed Abul  
Haq, Advocate.**

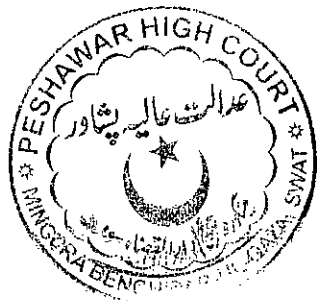
**Respondents: -**

**WIQAR AHMAD, J.-** Petitioner has filed the instant constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, with the following prayer;

*It is, therefore, prayed that on acceptance of this writ petition in the light of aforementioned submissions, the impugned order dated 28.01.2021 be declared as illegal, unlawful, based on malafide, & political victimization & thus ineffective upon the rights of Petitioner & violation of the Act of 2011 accordingly set aside.*

*Furthermore, this honorable Court may kindly issue directions to respondent No. 3 to decide application of petitioner as submitted for considering the petitioner for the post of D.M BPS-15 at school GGMS Khal Payeen/Kozkalay, District Dir Lower."*

2. Learned counsel for petitioner after arguing the case for a while requested that application of the petitioner annexed with the instant writ petition at page No. 15 be treated as an appeal of the petitioner and direction be issued to respondent No. 3 to decide same at the earliest. The Director, Elementary & Secondary Education Peshawar is directed to decide



**ATTESTED**

Examiner  
Peshawar High Court Bench  
Mingora Dar-ul-Qaza, Swat.

39

appeal of the petitioner within one month of receipt of copy of this order. In case the appeal was not found available there, then the instant writ petition shall be treated as an appeal filed before the Director, Elementary & Secondary Education Peshawar. Office is directed to send a copy of the writ petition along with this order to the concerned office. The instant writ petition is accordingly disposed of.



**NNOUNCED**  
**Dt: 22.09.2021**

Certified to be true copy

*Munir*  
 23-12-2021  
**EXAMINER**  
 Peshawar High Court, Mingora/Dar-ul-Qaza, Swat  
 Authorized Under Article 17 of Qanoon-e-Shahadat Order 1984

*[Handwritten Signature]*  
**JUDGE**

*[Handwritten Signature]*  
**JUDGE**

S.No. 32  
 Name of Applicant Sami Atiq  
 Date of Presentation of Applicant 23-12-2021  
 Date of Completion of Copies do  
 No of Copies 11-D  
 Urgent Fee ---  
 Fee Charged 447-  
 Date of Delivery of Copies 23-12-2021

Office  
 23/09/2021





emisdeofdirlower@gmail.com

Phone# 0945-9250083



DEO Female Dir Lower

Fax# 0945-924083

@DEOFemaleDir(L)

(40)

Annex "H"

### OFFICE ORDER

In compliance of the judgement in Writ Petition No.733-M/2021 Titled Mst.Nergas vs Govt and others of the Honorable Peshawar High Court Dar-Ul-Qaza Mengora Bench and letter no 4415/PN.331/F/Appeal/Dir Lower received from the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa at Peshawar, dated 28-10-2021, it is stated that Mst.Nergas was appointed against the vacant post of DM-15 at GGMS Babagam Dir Lower vide DEO (F) Dir Lower office order No 997-1000 dated 14-03-2015. later on, she was transferred to GGMS Korai Mano Banda Dir Lower against the vacant post of DM B-15 vide this office order no.6469-71 dated 13-02-2019. It is further stated that this office advertised posts of DM B-15 in various schools including GGHS Namaz Kot Dir Lower in 2019, but after appointment order of Mst.Qudsia Bibi DM B-15, it came to known that the said post was already filled by one Mst.Faiza Faiz DM B-15.

Mst.Qudsia DM B-15 reported to this office for readjustment/corrigendum against the any vacant post of DM B-15 in Dir Lower and consequentially she was adjusted against the vacant post of SDM B-16 at GGHS Khali vide this office order numer7054-581 dated.29/06/2021.

Later on, the Education Department promoted three teachers from DM B-15 to SDM B-16 vide this office adjustment order no.12397-13429 dated 13-01-2021, in which at S.No.1 one Mst.Rabi Naz DM B-15 GGMS Khali Payeen District Lower Dir adjusted against the post of SDM B-16 at GGHS Khali and consequentially, Mst.Qudsia Bibi DM B-15 adjusted against the resultant vacancy of Mst.Rabi Naz DM B-15 at GGMS Khali Payeen vide order no.12600-5 dated 28-01-2021.

In the light of the above mentioned orders are in the best interest of public services and smooth running of the schools and adjustment made against their original posts/stations, the appeal of the petitioner bereft of merit, hence considered as rejected as per law and rules.

ASMAT ARA QURESHI  
District Education Officer Female  
Dir Lower.

Endst No. 18509-12 Dated Timergara the 26/11/2021.

Copy of the above is forwarded to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa at Peshawar
2. The Head Mistress concerned.
3. Teacher concerned.
4. Office record.

*Bilal Ali*  
District Education Officer Female

*Ch*  
*Q*

OFFICE ORDER

In compliance of the judgment in writ petition No. 733-M/2021 titled Mst. Nergas Vs Govt and others of the Honorable Peshawar High Court Dar-Ul-Qaza Mengora Bench and letter No. 4415/FN.331/F/Appeal/Dir Lower received from the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa at Peshawar, dated 28-10-2021, it is stated that Mst. Nergas was appointed against the vacant post of DM-15 at GGMS Babagam Dir Lower vide DEO(F) Dir Lower office order No. 997-1000 dated 14-03-2015, later on , she was transferred to GGMS Korai Mano Banda Dir Lower against vacant post of DM B-15 vide this office order No. 6469-71 dated 13-02-2019. It is further-stated that this office advertised posts of DM B-15 in various schools including GGHS Namaz Kot Dir Lower in 2019, but after appointment order of Mst. Qudsia Bibi DM B-15, it came to known that the said post was already filled by one Mst. Faiza Faiz DM B-15.

Mst. Qudsia DM B-15 reported to this office for readjustment/corrigendum against the any vacant Post of DM B-15 Dir Lower and consequently she was adjusted against the vacant post of SDM B-16 at GGHS Khall vide this office order number 7054-581 dated 29/06/2021.

Later on, the Education Department promoted three teachers from DM B-15 to SDM B-16 vide this office adjustment order No. 12397-13429 dated 13-01-2021, in which at Sr. No. 1 one Mst. Rabi Naz DM B-15 GGMS Khall Payeen District Lower Dir adjusted against the post of SDM B-16 at GGHS Khall and consequently, Mst. Qudisa Bibi DM B-15 adjusted against the resultant vacancy of Mst. Rabi Naz DM B-15 GGMS Khall Payeen vide order No. 12600-5 dated 28-01-2021.

IN the light of the above mentioned orders are in the best interest of public services and smooth running of the schools and adjustment made their original posts/stations, the appeal of the petitioner bereft of merit, hence considered as rejected as per law and rules.

ASMAT ARA QURESHI  
District Education Office Female  
Dir Lower.

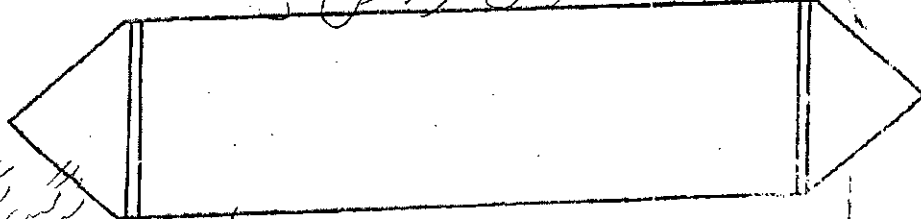
Endst No. 18509-12 dated Timergara the 26/11/2021.

Copy of the above is forwarded to the:

1. District Elementary & Secondary Education Khyber Pakhtunkhwa at Peshawar.
2. The Head Mistress concerned.
3. Teacher concerned.
4. Office record.

District Education Office Female  
Dir Lower.

# بعدالت سرولس سرولس اور



2022ء پنجاب سرولس سرولس  
بنام لوگنٹ ونگز  
صداہ سرولس

موضوع  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکے

مقدمہ بند درجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام کے لئے سرولس سرولس

مقررہ کر کے اثر کیا جاتا ہے۔ کہ صاحب ہوسوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقررات و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت و گبری کرنے اجراء اور سولی چیک در و پیدار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا لگری یا کلپرنہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ  
پروا شدہ سند و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہو یا نہ اتوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکورہ کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

الرقوم 27 11 دسمبر 2022ء

واہ الب  
کے لئے منظور ہے۔

Attested & Accepted

(A&U)

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

TB

Appeal No. 7949 of 20 21

Appellant/Petitioner: *Mst. Nurgus Begum*

Versus

Respondent: *Through Secy: Edn: 149th Pesh.*

Respondent No. 3

Notice to:

*Distt. Education Officer, Female Dir Lower*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on *10-11-22* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this *12th* .....

Day of *oct* ..... 20*22*

*at camp court Smart*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1 The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2 Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No. 7949 of 20 21

Mst. Nurgus Begum Appellant/Petitioner

Versus

Through Secy. Edn. K.P.S. Respondent

Respondent No. 4

Notice to:

Mst. Qudsia Daughter of Manzoor Qadir  
Residing at Govt Girls Middle School Icheel Kozkaday  
Tehsil Icheel Dist. Dir. Lower

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 10-11-22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 12th

Day of Oct 20 22

at Camp Court Swat

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No. .... of 20

Appellant/Petitioner

113

Versus

7949

Respondent

Mst. Nurgus Begum

Respondent No. ....

Notice to:

Through Secy: Edm: K Pk Pesh:  
E

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal at 8.00 A.M. If you wish to urge anything against the appeal/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorized representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement along with any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this .....

Day of ..... 20

Oct:

22

1314

at camp court Swat

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

SECRETARY DIARY  
No. 1314  
Date

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

113

No.

Appeal No. 7949 of 20 21

Mst. Nurgis Begum Appellant/Petitioner  
Versus

Through Secy. Edn. K.P.P. Respondent  
Respondent No. 2

Notice to:

Director, El. & Sec. Education Dept. of K.P.P.  
Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 10/1/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of  appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this 12/1

Day of 12/1 2022

at Camp Court Swat

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

[Signature]  
SECRETARY DWT  
No. 1/1  
Dated 1/1

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.